

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PETER T. HARRELL, )  
Plaintiff, )  
v. ) Civil No. 04-3082-CO  
GUST KEPREOS, et al., ) ORDER  
Defendants. )

Magistrate Judge John P. Cooney filed Findings and Recommendation on March 30, 2005, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiff has timely filed objections. I have, therefore, given de novo review of Magistrate Judge Cooney's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Cooney's Findings and Recommendation filed March 30, 2005, in its entirety. Defendants' motion to dismiss (#12) is granted in part and denied in part: defendants' motion to dismiss on the ground that this court lacks subject matter jurisdiction is denied, and defendants' motion to dismiss on the ground that this court lacks personal jurisdiction over defendants is granted. This action is dismissed and judgment will enter dismissing this action.

IT IS SO ORDERED.

DATED this 22<sup>nd</sup> day of April, 2005.

Michael E. Hogan  
UNITED STATES DISTRICT JUDGE